

Docket No.: 21407 US (C038435/0185010)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Tatsuo HOSHINO *et al.* ) Examiner: B. A. Whiteman  
Serial No.: 10/528,872 ) Art Unit: 1635  
Filed: September 29, 2005 )  
For: **SQS GENE**

New York, New York  
August 14, 2006

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed July 31, 2006, which set a one-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before August 31, 2006. 37 CFR § 1.8. No fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

On page 2 of the Office Action, the Examiner issued an eight-way restriction requirement pursuant to 35 USC §§ 121 and 372. The restriction divided the claims into the following allegedly distinct inventions: Group I (claims 1-7) "drawn to an

isolated polynucleotide encoding squalene synthase;" Group II (claims 8-10) "drawn to a method of making a recombinant organism comprising introducing a vector comprising an isolated polynucleotide encoding squalene synthase to the organism;" Group III (claim 11) "drawn to a process for producing a polypeptide having squalene activity;" Group IV (claim 12) "drawn to an isolated polypeptide having squalene activity;" Group V (claim 13) "drawn to an antibody that binds specifically to a polypeptide having squalene activity;" Group VI (claims 14-17) "drawn to an antisense against the polynucleotide encoding squalene synthase;" Group VII (claims 18-22) "drawn to a method of making a recombinant organism comprising introducing a vector comprising antisense against the polynucleotide encoding squalene synthase to the organism;" and Group VIII (claims 23-26) "drawn to a process for producing carotenoid." (Paper No. 20060724 at 2-3).

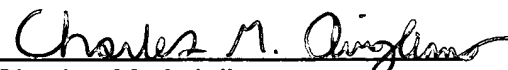
In accordance with restriction practice, the subject matter of claims 1-7 (Group I) is hereby elected for prosecution with traverse.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on August 14, 2006.

  
Charles M. Avigiano, Reg. No. 52,578

Respectfully submitted,

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